

IN THE SUPERIOR COURT OF MUSCOGEE COUNTY
STATE OF GEORGIA

COLUMBUS BANK AND TRUST
COMPANY, A DIVISION OF SYNOVUS
BANK

Petitioner,

v.

LAW OFFICE OF MICHAEL A.
EDDINGS, P.C., FIRST AMERICAN
TITLE INSURANCE COMPANY, FIRST
AMERICAN TITLE COMPANY, JOHN
DOE 1, JOHN DOE 2, JOHN DOE 3, et al.,

Respondents.

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Civil Action File No. SU-11-CV-3875

TRC GLOBAL SOLUTIONS, INC.'S MOTION FOR PAYMENT OF FUNDS FROM
REGISTRY OF COURT

COMES NOW TRC Global Solutions, Inc. ("TRC"), identified as "John Doe" in the above-styled action, and moves the Court to enter an Order directing the release of funds from the registry of the Court, to be paid as described below.

TRC has filed a verified Answer in the above-captioned action. That verified Answer is hereby adopted by reference as if fully set forth herein.

For the reasons set forth in TRC's verified Answer, the sum of \$145,621.82 was paid into the trust account that is the subject of this action for the benefit of TRC. Those funds rightfully belong to TRC and, to the extent they have not already been paid, should be paid to the entities described in TRC's verified Answer. Those funds were paid into the trust account as a result of a real estate closing that occurred on October 25, 2011. That closing was designed to consummate the sale of real estate located at 2238 Birchwood Drive, Columbus, Georgia, 31909. TRC was the seller of this property, and

Amanda Elizabeth Waller was the buyer. As part of that closing, TRC fulfilled its obligation to sign the deed to the property over to the buyer. In return, sufficient funds were deposited into the trust account to cover the obligations of TRC, as described in TRC's verified Answer.

The funds that should have been paid out of the trust account to Chase Home Finance, LLC (\$135,930.40), Coldwell Banker Kennon Parker Duncan & Key (\$6,770.00), Associated Title & Closing Company, LLC (\$983.00), and Gary G. Lawson, P.C. (\$400.00) were not paid as they should have been and remained in the trust account at the time Petitioner paid said funds into the registry of the Court. Thus, those funds are presently part of the funds that are in the registry of this Court. It appears that the funds that should have been paid out of the trust account to cover the other obligations described in TRC's verified Answer were likewise not paid and also remained in the trust account at the time Petitioner paid said funds into the registry of the Court.

So that this real estate transaction may be finally consummated as intended by the parties thereto, TRC requests that the Court enter an Order directing the payment of the following funds from the registry of the Court at this time:

\$135,767.51 to be paid to Chase and an additional \$22.21 per day to be paid to Chase for every day after November 28, 2011, provided that the amount to be paid to Chase out of these funds shall not exceed \$135,930.49 (the amount paid into the trust account for the satisfaction of the Chase debt);

\$6,770.00 to be paid to Coldwell Banker Kennon Parker Duncan & Key;

\$983.00 to be paid to Associated Title & Closing Company, LLC; and

\$400.00 to be paid to Gary G. Lawson, P.C. for a closing fee in connection with this transaction.¹

¹ When the Court is presented with proof that the other entities described in TRC's

TRC requests that the Court consider this Motion on an expedited basis due to the fact that these funds are indisputably owed and should be paid at this time and the fact that TRC continues to suffer harm each day that these funds are not paid.

WHEREFORE, TRC requests that the Court grant this Motion and direct that the payments requested above be made at this time.

This 21st day of November, 2011.

BUCHANAN & LAND, LLP

BY: 

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verified Answer have not been paid out of the trust account, the Court should enter an Order directing the payment of those entities, with the balance of the funds paid into the registry for TRC's benefit to be paid to TRC.

CERTIFICATE OF SERVICE

This is to certify that I have this date served the opposing parties in the foregoing matter, with a copy of the above and foregoing by depositing in the United States Mail a copy of the same in a properly addressed envelope with adequate postage thereon to:

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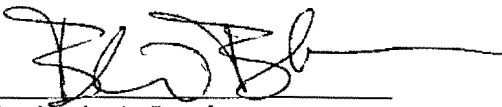
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Attorney for United States of America

This 21st day of November, 2011.

BUCHANAN & LAND, LLP

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